

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. 7,010,482  
Issued: March 7, 2006  
Serial No.: 09/811,187  
Filed: March 16, 2001  
Inventors: Oded Gottesman et al.  
Docket: G&C 30794.347-US-01 UC 2006-302-1  
Title: REW PARAMETRIC VECTOR QUANTIZATION AND DUAL-PREDICTIVE  
SEW VECTOR QUANTIZATION FOR WAVEFORM INTERPOLATIVE  
CODING

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AUG 27 2010

OFFICE OF PETITIONS

**COMMUNICATION UNDER 37 C.F.R. §1.28(c)**  
**TO CORRECT AN ERROR IN SMALL ENTITY STATUS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

The Assignee, The Regents of the University of California, of the above-identified patent has executed a "Notification Of Change In Small Entity Status Pursuant to 37 C.F.R. §1.27(g)(2)." This Notification is enclosed herewith, indicating that the above-identified patent is now considered a large entity, and is no longer entitled to small entity status.

Assignee's attorney respectfully submits that, in the above-identified patent, small entity status was established in good faith and the small entity fees were previously paid in good faith. However, it has been discovered that the patent maintenance fee due at 3.5 years should not have been paid under small entity status when paid on August 21, 2009, which was in error, although without deceptive intent.

Consequently, Assignee's attorney respectfully requests that the error be excused in view of the following compliance with the separate submission and itemization requirements of 37 C.F.R. §§1.28(c)(1) and (c)(2), and the deficiency payment requirement of 37 C.F.R. §1.28(c)(2). The deficiency amount owed under 37 C.F.R. §1.28(c) has been calculated using the date on which the deficiency was paid in full.

In accordance with 37 C.F.R. §1.28(c)(2), which requires that for each fee that was erroneously paid as a small entity, the deficiencies owed must be paid, and the payment of the

deficiencies must be itemized. The deficiency owed for each previous fee erroneously paid as a small entity is the difference between the current fee amount (for other than a small entity) on the date the deficiency is paid in full and the amount of the previous erroneous (small entity) fee payment.

37 CFR §1.28(c)(2)(ii) requires the following itemizations: (A) the particular fee involved (e.g., basic filing fee, extension of time fee); (B) the small entity fee amount actually paid and when (for example, distinguishing between two one month extension of time fees erroneously paid on two different dates); (C) the actual deficiency owed for each fee previously paid in error; and (D) the total deficiency owed. These itemizations are set forth below:

1. (A) Patent Maintenance Fee – Due at 3.5 Years; (B) the amount of \$490.00 was paid on August 21, 2009; (C) the actual deficiency owed for the fee paid in error is \$490.00, i.e., the Patent Maintenance Fee - Due at 3.5 Years for a large entity is \$980.00, minus \$490.00 previously paid.

2. (D) The total deficiency owed (i.e., the sum of individual deficiencies) is \$490.00.

Consequently, please charge the total deficiency owed of \$490.00 to Deposit Account No. 50-0494. Any requisite additional fees may be charged to Deposit Account No. 50-0494.

Should the Office believe matters still remain that can be resolved in a telephone interview, the Office is urged to call Assignee's undersigned attorney.

Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Assignee

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Date: February 11, 2010

GHG/

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